

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

DEFENDANTS' MOTION TO DISMISS THE FIRST AMENDED COMPLAINT

Aesthetic Physicians, Inc., Aesthetic Physicians, P.C., and Body Contour Centers, LLC (collectively “Defendants”), by counsel, file this Motion to Dismiss under Rule 12(b)(6) of the Federal Rules of Civil Procedure, and move this Court to dismiss Plaintiff’s First Amended Complaint with prejudice. The grounds for this Motion are set out in the accompanying Memorandum in Support.

May 21, 2024

Respectfully submitted,

**AESTHETIC PHYSICIANS, INC.,
AESTHETIC PHYSICIANS, P.C. d/b/a
SONO BELLO and BODY CONTOUR
CENTERS, LLC d/b/a SONO BELLO**

/s/ Charles M. Sims
Charles M. Sims, Esq. (VSB No. 35845)
C. Quinn Adams, Esq. (VSB No. 90506)
Tyler Miko, Esq. (VSB No. 97699)
O'HAGAN MEYER, PLLC
411 East Franklin Street, Suite 500
Richmond, VA 23219
T: (804) 403-7111
F: (804) 237-0250
CSims@ohaganmeyer.com
CAdams@ohaganmeyer.com
TMiko@ohaganmeyer.com
Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of May, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to counsel of record.

/s/ Charles M. Sims
Charles M. Sims, Esq.